

THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI
UMESH KUMAR BHARTI VS. THE STATE OF BIHAR
A.B.A. NO. - 417 Of 2026

ORDER

Present: Sudhir Sinha

28.04.2026

This anticipatory bail petition has been filed on behalf of petitioner **Umesh Kumar Bharti** who is apprehending arrest in Complaint Case no. 115C/2022, U/s- 420, 417 IPC & 138 N.I Act , the copy of which is served upon the Id. P.P.

The Id. Counsel for the petitioner has submitted that no any bail petition has been filed on behalf of petitioner either in this Id. Court or before the Hon'ble High Court, Patna except the present one. The petitioner has no criminal antecedent pending against him. The petitioner is quite innocent, has committed no offence and has been falsely implicated in this case due to dirty politics. The petitioner is man of means and there is no chance of his absconding and he is ready to furnish bail bond to the satisfaction of Id. Court. In such view the Id. Counsel prayed to admit the petitioner to anticipatory bail.

The Id. Addl. PP opposed the prayer for bail.

On perusal of the case diary it is clear that the petitioner is named accused. The case of complainant of Kishun Mandal is that on 16.03.2020 the accused Umesh Kumar Bharti borrowed Rs. 1,95,000/- from him for the treatment of his father and wife, saying that he would return the entire amount in one go after one year. After one year when he did not return the money and on repeated demands, on 22.11.2021 he gave a cheque bearing number was 000015 of Bandhana Bank branch Gidhaur for Rs. 1,95,000/-. When he presented the cheque to Canara Bank Rranch Oraiya Rajla on 22.11.2021 to get the payment of the amount, he was informed by the bank on 06.12.2021 that there is not enough money in his account and the bounced cheque was returned with memo. He again believed his words and presented the cheque to the bank on 20.01.2022 for encashment but the cheque was again returned by the bank on 21.01.2022 with a certificate of insufficient funds. In this manner, the accused Umesh Kumar Bharti deliberately committed fraud and cheating and when he did not had sufficient funds in his account, he issued him a cheque of Rs. 1,95,000/-. The Id. C.J.M has taken cognizance for offence u/s-420, 417 IPC and 138 N.I Act.

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The Court finds that process U/s- 82 Cr.P.C has been issued against the petitioner, so the present anticipatory bail petition is not maintainable.

Accordingly in the given facts and circumstances of this case having regard to the submissions tendered by the parties the ABP filed on behalf of the petitioner **Umesh Kumar Bharti** is hereby **Rejected as not maintainable.**

Dictated & Corrected

District & Addl. S.J- II, Jamui
28.04.2026